

**NEW UTILITY PATENT APPLICATION TRANSMITTAL****(Large Entity)***(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Total Pages this Submission:3

22388 U.S. PTO  
10/724327Director of the United States Patent and Trademark Office

Mail Stop Patent Application

P.O. Box 1450

Alexandria, VA 22313-1450

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled: SYSTEM AND METHOD FOR PERFORMANCE MONITORING

and invented by: ALLEN HALL

**ASSIGNEE NAME:** International Business Machines Corporation**ASSIGNEE RESIDENCE:** Armonk, New York**If a CONTINUATION APPLICATION,** check the appropriate box and supply the requisite information:☐ Continuation ☐ Divisional ☐ Continuation-in-part(CIP) of prior application No.:

Enclosed are:

**Application Elements**

01. ☒ Filing fee as calculated and transmitted as described below
02. ☒ Specification having 43 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☐ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Microfiche Appendix (if applicable)
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☒ Brief Description of the Drawings (if drawings filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure
03. ☒ Drawing(s) when necessary as prescribed by 35 USC 113)
  - a. ☐ Formal
  - b. ☒ Informal

Number of sheets: 7

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**Application Elements (Continued)**04. ☒ Oath or Declaration

- a. ☒ Newly executed (original or copy) ☐ Not executed
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☒ With Power of Attorney ☐ Without Power of Attorney

05. ☐ Incorporation By Reference (usable if box 4b is checked)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Item 4b, is considered as being part of the disclosure of accompanying application and is hereby incorporated by reference therein.

06. ☐ Computer Program in Microfiche (Appendix)07. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)

- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy (identical to computer copy)
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**08. ☒ Assignment Papers (cover sheet & document(s))09. ☐ 37 CFR 3.73(B) Statement (when there is an assignee)10. ☐ English Translation Document (if applicable)11. ☒ Information Disclosure Statement/PTO-1449 ☒ Copies of IDS citation12. ☐ Preliminary Amendment13. ☒ Acknowledgment postcard14. ☒ Certificate of Mailing

- ☐ First Class ☒ Express Mail (Label No: EU411338078US)

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)

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**Accompanying Application Parts (Continued)**

16. ☐ Additional Enclosures (*identify below*)
17. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	# Filed	# Allowed	# Extra	Rate	Fee
Total Claims	13	-20	0	x \$18.00	\$
Indep. Claims	04	- 3	1	x \$86.00	\$ 86.00
Multiple Dependent Claims	_____				\$

**BASIC FEE** \$ 770.00

**Other FEE (Specify purpose)**

**TOTAL FILING FEE** \$ 856.00

- ☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit IBM Corporation Deposit Account No. 09-0460 as described below. A duplicate copy of this sheet is enclosed.
- ☒ Charge the amount of \$ 856.00 as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees as required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: 26 Nov 2003

*Shelley M Beckstrand*  
Signature

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ALLEN HALL  
Serial No.: N/A Group No.: N/A  
Filed: HEREWITH Examiner: N/A  
For: SYSTEM AND METHOD FOR PERFORMANCE MONITORING

Director of the United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

EXPRESS MAIL CERTIFICATE

"Express Mail" label number: EU411338078US

Date of Deposit: 28 Nov 2003

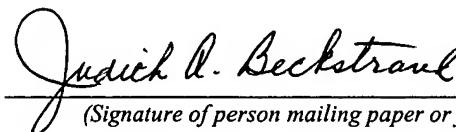
I hereby certify that the following attached paper or fee

Postcard  
Express Mail Certificate  
New Utility Patent Application Transmittal  
Patent Application  
Declaration and Power of Attorney for Patent Application  
Drawings (7 sheets, informal)  
Recordation Form Cover Sheet  
Assignment  
Information Disclosure Statement  
Form 1449 (modified)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the

Mail Stop PATENT APPLICATION  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

JUDITH A. BECKSTRAND  
(Name of person mailing paper or fee)

  
(Signature of person mailing paper or fee)